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I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents and Trademarks, United States Patent and Trademark Office, Washington, D.C. 20231, on this 9<sup>th</sup> day of November, 2001.

  
Steven Callistein

Case No. 1237

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

<b>Applicant:</b>	<b>Hartwig Wehrmann</b>	<b>Art Unit:</b>	<b>1638</b>
<b>Serial No.:</b>	<b>09/540,578</b>	<b>Examiner:</b>	<b>Gary Benzion, Ph.D.</b>
<b>Filed:</b>	<b>March 31, 2000</b>	<b>For:</b>	<b>Inbred Maize Line PH3AV</b>

**AMENDMENT AND REQUEST FOR RECONSIDERATION UNDER  
37 CFR § 1.111 TO OFFICE ACTION MAILED October 2, 2001**

To the Assistant Commissioner for Patents  
Washington, D. C. 20231

Dear Sir:

This paper is filed in response to the Office Action mailed October 2, 2001. The Examiner is requested to enter the following amendment and consider the accompanying remarks. Reconsideration is respectfully requested.

**AMENDMENT**

**IN THE CLAIMS:**

Claims 33, 37, and 42 have been amended as follows:

33. (Amended) A PH3AV-derived maize plant, or parts thereof, wherein at least one ancestor of said PH3AV-derived maize plant is the maize plant of claim 21, said PH3AV-derived maize plant expressing a combination of at least two PH3AV traits selected from the group consisting of: a relative maturity of approximately 84 based on the Comparative Relative Maturity Rating System for harvest moisture of grain, early flowering, good seed quality, good ear mold tolerance, good stalks, very good plant

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